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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,142	11/14/2003	Robert Edward Williams		2384

7590 01/23/2006  
ROBERT EDWARD WILLIAMS  
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EXAMINER

GUTIERREZ, ANTHONY

ART UNIT PAPER NUMBER

2857

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/714,142	Applicant(s) WILLIAMS, ROBERT EDWARD	
	Examiner Anthony Gutierrez	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☒ Claim(s) 8 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement filed 10/14/05 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because it lists the references on a copy of PTO Form 1449 that was previously signed by the Examiner.

For the sake of convenience, however, the Examiner has cited the references referred to in the Information Disclosure Statement on PTO Form 892. The Examiner has thus considered these references with respect to this form and therefore the Applicant need not resubmit these references, nor does the Applicant need to resubmit a new Information Disclosure Statement.

### *Claim Objections*

2. Claim 8 is objected to because of the following informalities: It contains the extraneous phrase, "Fig. 2" at the end of the claim. This phrase should be deleted, but all other reference numerals in the claims need not be deleted.

Claim 14 is objected to because of the following informalities: steps (a) – (d) recite "a means of" instead of "a means **for**". Also, all individual aspects provided, including (1)-(5), should have their own specified **individual** means claimed, as opposed to grouping (1)-(5) under "(d) a means for providing...".

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Hattori et al. (United States Patent 5,546,327).

As to claims 8-11, 13, and 14, Hattori et al. discloses a method for generating multi-dimensional and multi- hierarchical maps, providing information on spatial and energy relationships between space and events with structural forms, sizes, shapes, locations, geometries and topologies of platens, domains , and domain boundaries among a plurality of said related events in the universe; said maps being generated by an iterative process (see Fig.2 ), such that location and characteristics of each said platen between pairs of said events, and location and characteristics among said domain and said domain boundaries among groups of said events, are determined and generated by a plurality of selected appropriate mathematical rules and conceptual conventions(col. 3, lines 32-50) and each said event and its surrounding said domain is shown enclosed by a system of said platens forming said domain boundary wherein each said domain boundary is determined by said plurality of selected appropriate mathematical rules and conceptual conventions, and shown to approximate the shape of a modifiable sphere; each said platen between said interrelated said events is determined by said plurality of selected appropriate mathematical rules and conceptual conventions (col. 3, lines 51-65) , and shown to characteristically have a diameter less than the approximate diameter of the smaller of said event

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pairs (col. 9, lines 49-64), a plurality of said platens of a plurality of said events are determined by said plurality of selected appropriate mathematical rules and conceptual conventions to show said structural forms, sizes, shapes, locations, geometries and topologies of said events, domains, domain boundaries, and spatial-energy relationships as continuously linked said platens (col. 4, lines 25-39); interlinked said platens are determined by said plurality of selected appropriate mathematical entities and conceptual conventions, and shown as continuous interconnected pathways among said events and domain boundaries depicted in said map, whereby said spatial and energy relationships among said events and space are depicted, and whereby said structural geometric, and topological relationships among said events, domains, domain boundaries, platens, and space are presented (col. 4, line 40-col. 5, line 26).

As to claim 12, Hattori et al. discloses that said iterative process requires a decision to place each added said event on one of said multi-hierarchical and multi-dimensional levels, said iterative process requires that, as each said event and its accompanying said domain is added to the said map, a decision is made regarding whether or not there exists a grouping of other said events within or without the added said event, and said iterative process requires that said decision is within the context of the added said event (col. 7, lines 32-44).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

United States Patent Application Publications

US 2005/0287648 A1 to Smith et al., uses spheres for structure based alignment representations in a protein transducing domain depiction.

US 2004/0131192 A1 to Metcalf, teaches a system and method for integral transference of acoustical events that models micro and macro relationships.

US 2002/0119455 A1 to Chan, teaches a method for analyzing the linkage of units in polymers.

United States Patents

US 6,448,012 B1, to Schwartz, teaches a method for mapping a nucleic acid, that measures conformational and positional changes including the diameter of a spherical molecule.

US 6,405,151 B1, to Fujii et al., teaches a method of composing three-dimensional multi viewpoints data based on maximum value of distance between vertexes of polygons in a plurality of polygon meshes, to determine the size of a voxel.

US 6,405,143 B1, to Pham et al., teaches a method for determining potential fields that includes a source domain of source particles including the use of particle clusters.

6,027,711 to Sharma, uses defined geometry of a coordination sphere of an incoming metal ion to define the nature and extent of a conformational restriction imposed on a peptide backbone.

5,862,252, to Yamamoto et al., teaches a shape measuring apparatus for a 3-D image display.

5,434,796, to Weininger, teaches a method for designing molecules with desired properties by evolving successive populations.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Gutierrez whose telephone number is (571) 272-2215. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on (571) 272-2216. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

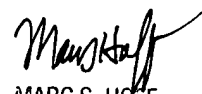
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AG

Anthony Gutierrez

1/9/06



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